

AMENDED IN ASSEMBLY APRIL 11, 2005

AMENDED IN ASSEMBLY MARCH 29, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 1500

Introduced by Assembly Members Maze and Matthews

February 22, 2005

An act to amend Section 7300.3 of, *and to add Section 7311.25 to*, the Labor Code, relating to safety of conveyances.

LEGISLATIVE COUNSEL'S DIGEST

AB 1500, as amended, Maze. Conveyances: exclusions: manlifts.

~~Existing law regulates the design, erection, construction, installation, material alteration, inspection, testing, maintenance, repair, service, and operation of specified conveyances, and provides for penalties, including misdemeanor penalties, for violations of this law. Existing law defines the term "conveyances" for these purposes to include elevators, escalators, platform and stairway chairlifts, dumbwaiters, material lifts, moving walks, automated people movers, and certain similar mechanisms, but specifies categories of these mechanisms that are exempted from the application of the regulating statutes requires that any person who, without supervision, erects, constructs, installs, alters, tests, maintains, services or repairs, removes, or dismantles any conveyance, as specified, be certified as a competent conveyance mechanic by the Division of Occupational Safety and Health.~~

~~This bill would exempt permit manlifts that are installed and used in agricultural production, processing, and handling facilities, as specified, and that are to be inspected and maintained in accordance with specified standards from the application of these statutes~~

~~regulating conveyances~~ by a competent person designated by the owner or operator of the facilities even if that person is not certified as a competent conveyance mechanic. Annual inspections required by statute would still be required to be performed by a certified competent conveyance mechanic.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7300.3 of the Labor Code is amended to
2 read:
3 7300.3. Equipment not covered by this chapter includes the
4 following:
5 (a) Material hoists within the scope of standard A10.5 as
6 adopted by the American National Standards Institute.
7 (b) Mobile scaffolds, towers, and platforms within the scope
8 of standard A92 as adopted by the American National Standards
9 Institute.
10 (c) Powered platforms and equipment for exterior and interior
11 maintenance within the scope of standard 120.1 as adopted by the
12 American National Standards Institute.
13 (d) Cranes, derricks, hoists, hooks, jacks, and slings within the
14 scope of standard B30 as adopted by the American Society of
15 Mechanical Engineers.
16 (e) Industrial trucks within the scope of standard B56 as
17 adopted by the American Society of Mechanical Engineers.
18 (f) Portable equipment, except for portable escalators that are
19 covered by standard A17.1 as adopted by the American National
20 Standards Institute.
21 (g) Tiering or piling machines used to move materials to and
22 from storage located and operating entirely within one story.
23 (h) Equipment for feeding or positioning materials, including
24 that equipment used with machine tools or printing presses.
25 (i) Skip or furnace hoists.
26 (j) Wharf ramps.
27 (k) Railroad car lifts or dumpers.
28 (l) Line jacks, false cars, shafters, moving platforms, and
29 similar equipment used for installing a conveyance by a
30 contractor licensed in this state.

~~(m) Manlifts that are installed and used in agricultural production, processing, and handling facilities, including grain elevators, feed mills, flour mills, rice mills and dryers, and similar facilities, and that are inspected and maintained in accordance with the Elevator Safety Orders referenced in Subchapter 6 (commencing with Section 3000) of Chapter 4 of Division 1 of Title 8 of the California Code of Regulations, or in accordance with any successors to those orders.~~

SEC. 2 Section 7311.25 is added to the Labor Code, to read:

7311.25. (a) As used in this section, the following terms have the following meanings:

(1) "Agricultural production, processing, and handling facilities" include grain elevators, feed mills, flour mills, rice mills, rice dryers, and other similar facilities.

(2) "Applicable Elevator Safety Orders" mean the Elevator Safety Orders referenced in subchapter 6 (commencing with Section 3000) of Chapter 4 of Division 1 of Title 8 of the California Code of Regulations, and any successors to those orders.

(b) Notwithstanding Section 7311.2 or any other provision of this chapter, an owner or operator of agricultural production, processing, and handling facilities may designate a competent person in his or her employ to maintain, repair, service, lubricate, or test manlifts installed and used at the facilities if the manlifts are maintained and inspected in accordance with applicable Elevator Safety Orders. The designated competent person need not be a certified competent conveyance mechanic.

(c) The designated competent person may inspect the manlifts each month as required by applicable Elevator Safety Orders, but only a certified competent conveyance company or mechanic may perform the inspection required by Section 7304 to take place at least annually.